

REMARKS

Claims 1-6 are pending in this application. By this Amendment, claims 1-6 are amended. Support for the amendments to the claims may be found, for example, in the original claims. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Tran in the November 6, 2006 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Obviousness-Type Double Patenting Rejection

The Office Action rejects claims 1-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent Application Publication No. 2004/0194011. Without admitting to the propriety of the rejection, and in the interest of advancing prosecution, Applicants are simultaneously filing herewith a Terminal Disclaimer over the cited reference, thus obviating the rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection Under 35 U.S.C §102

The Office Action rejects claims 1-6 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,804,020 to Kuroda et al. ("Kuroda"). Applicants respectfully traverse the rejection.

It is well settled that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP §2131.

In view of comments made by Examiner Tran during the personal interview, the claims are amended to more clearly recite various novel features of the claimed invention.

Claims 1 and 4 require a control or step of "sending, to a transmission source of the cooperation information, a processing result indicating whether the service processing unit has performed the service normally or abnormally." The specification defines the "transmission source" as "a service processing apparatus that performed a service that preceded the service that has been performed by the service processing apparatus concerned." See page 12, lines 11–13. Despite its alleged teachings, Kuroda does not describe such a feature.

The Office Action asserts that Kuroda describes a step of determining as to whether or not cooperation is possible and notification of cause of trouble upon cooperation such as "OK" or "NG." See Office Action, page 6, lines 4–7. However, this is not the same as sending "a processing result indicating whether the service processing unit has performed the service normally or abnormally." Instead, what Kuroda describes is a step to determine if an external cooperation device would perform the service requested by the user by determining whether the parameters set by the user are acceptable to the external cooperation device, and if not, notifies the user of which parameters are not acceptable so that the user may adjust the unacceptable parameters.

Claims 1 and 4 further require "if an abnormality occurs wherein the next service is not performed by the next cooperative processing apparatus *after the next cooperative processing apparatus receives the cooperation information*, the sending and receiving unit sends a copy of the cooperation information to a substitute cooperative processing apparatus capable of performing a substitute service for the next service" (emphasis added).

As correctly pointed out by the Office Action, Kuroda teaches that when the printer fails to complete proper printing, the printer makes another attempt to perform printing. See Office Action at page 6, lines 17–20. In other words, the printer determines on its own if it successfully printed the image, and if not, it tries to print again from the same data it originally

received. There is no mechanism or backup provided by Kuroda in the case where the device successfully receives the image data, but cannot properly print the image. Thus, Kuroda cannot be fairly said to anticipate claims 1 and 4.

Kuroda does not anticipate claims 1 and 4. Claims 2, 3, 5, and 6 variously depend from claims 1 and 4 and, thus, also are not anticipated by Kuroda. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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Attachment:
Terminal Disclaimer

Date: November 16, 2006

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